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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,741	11/15/2001	Minoru Tateno	FUJZ 19.164	3839
26304	7590	07/26/2006	EXAMINER	
KATTEN MUCHIN ROSENMAN LLP			MEHRA,INDER P	
575 MADISON AVENUE			ART UNIT	
NEW YORK, NY 10022-2585			PAPER NUMBER	
			2617	

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/002,741

Applicant(s)

TATENO ET AL.

Examiner

Inder P. Mehra

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>7/23/06</u> |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to amendment dated : 5/4/06 Based on this amendment, claims 1-12 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the following limitations, which are either not disclosed in the drawing correctly or not comprehensive, as follows:

- **Refer to line 2**, a changeover unit to change over two input signals which are mutually asynchronous in phase. “Change over two input signals” is confusing. “Change over two input signals” should be “Change over to input signal”, because after switching, one signal is resulted, not two signals, as recited in the claim. Similar problem exists in claims 5-6, 10 and 12.
- **Refer to line 4**, “an extracting unit to extract clocks from output signals of the changeover unit” is not clear and comprehensive. It should be “an extracting unit to extract a clock from an output signal of the changeover unit”, because, there is one clock in one signal (non signals), which is an output of switchover unit. Similar problem exists in claim 4

- **Refer to line 5**, “a PLL circuit for inputting the extracted clocks”, should be “a PLL circuit for inputting the extracted clock”, because there is one clock in on one signal after switching over to a signal.
- **Refer to line 6**, “a clock changing unit to provide the output signals with clocks changed to output clocks of the PLL circuit”, should be “a clock changing unit to provide the output signal with clock changed to output clock of the PLL circuit. “Output signal” should be “output data”, see specification, page 11 line 18. Further, there is one clock in the signal after switch over to a signal.
- **Refer to line 8**, a framing unit to frame output signal of the clock changing unit with the output clocks. It should be “a framing unit to frame output signal of the clock changing unit with the output clock”. “Output signal” should be “output data”, see specification, page 11 line 18. Further, there is one clock in the signal after switch over to a signal.

Appropriate correction/clarification is required.

Claim 2 recites the following limitations, which are either not disclosed in the drawing correctly or not comprehensive, as follows:

- **Refer to line 2**, “an extracting unit to extract data and clocks respectively of two input signals---” . “clocks respectively of two input signals” should be “clock respectively of one input signal”, because there is one signal left over after change over function..

- **Refer to line 4**, “a first and a second reference clock changing limit to change the data with reference clocks inputted externally”. This limitation is not illustrated in the drawings, and therefore, makes it difficult to comprehend the limitations of the claim 2.. It is not described in the “Description” section of specification. Further, “change the data” should be “extract the data”, because data is extracted, refer to specification, page 7 line 18. The limitation “the data with reference clocks inputted externally” should be “the data with two reference clocks inputted externally” , if in case there are two reference clocks, which are not shown explicitly in the drawings, or otherwise, there should be one reference clock”. Similar problem exists in rest of the claim 2, refer to “the second reference clock changing unit” **in line 7 of claim 2..**
- **Refer to line 9**, a clock changing unit to **gradually change** output data of the first changeover unit from **clocks** before the changeover to **clocks** after the changeover by the second changeover unit. In this limitation, “gradually change” is not definite and specific. limits should be specified.

Appropriate correction/clarification is required.

Refer to line 3, Claim 10 recites limitation, “redundant changeover apparatuses provided in duplicate for same transmission lines of a working system and a protection system”.

This limitation is not supported by drawings.

Appropriate drawing be referred to or corrected.

Drawings

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the following limitations must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

- Claim 2 recites, “a first and a second reference clock changing limit to change the data with reference clocks inputted externally”. This limitation is not illustrated in the drawings, and therefore, makes it difficult to comprehend the limitations of the claim 2.. It is not described in the “Description” section of specification. Further, “change the data” should be “extract the data”, because data is extracted, refer to specification, page 7 line 18. The limitation “the data with reference clocks inputted externally” should be “the data with two reference clocks inputted externally” , if in case there are two reference clocks, which are not shown explicitly in the drawings, or otherwise, there should be one reference clock”. Similar problem exists in rest of the claim 2.
- Claim 10 recites limitation “redundant changeover apparatuses provided in duplicate for same transmission lines of a working system and a protection system”. This limitation is not supported by drawings.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure

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must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Response to Arguments

5. Applicant's arguments with respect to claims 1-12 have not been considered but are moot in view of the fact that claims could not be further considered pending the clarifications/issues raised under rejection under 112 second paragraph.

Conclusion

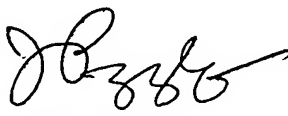
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Inder P. Mehra whose telephone number is 571-272-3170. The examiner can normally be reached on Monday through Friday from 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Inder Pal Mehra 7/24/06
Inder P Mehra
Examiner
Art Unit 2617


JOHN PEZZLO
PRIMARY EXAMINER